

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STERLING SAMM,

Petitioner,

v.

GENA JONES,

Respondent.

No. 2:24-cv-1987 DJC CSK P

ORDER

Petitioner, a state prisoner proceeding pro se, filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 11, 2025, the Magistrate Judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. Petitioner filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations (ECF No. 19) are adopted in full;
2. The second amended petition (ECF No. 16) is summarily dismissed;
3. Petitioner's petition for writ of mandate (ECF No. 18) is denied;
4. The Clerk of the Court is directed to close this case; and
5. The Court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253 as Petitioner has not made a substantial showing of the denial of a constitutional right, see 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

Dated: **October 22, 2025**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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